

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

GLENN CHANDLER,

Plaintiff,

v.

JOHNNY DAVIS, *et al.*,

Defendants.

Case No. 1:13-cv-0039

District Judge William J. Haynes, Jr.

Jury Demanded

OPINION
Given the length
of the pendency of this
suit, Plaintiff has
timely (20) days to
file a
response
on this
suit will be
dismissed for
Plaintiff's failure
to prosecute.
Fed. R. Civ. P.
4/1(b).

DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

Defendants Johnny Davis, Troy Bowman, Jane Doe Lamb, John Doe Schaffer, Jane Doe Smith, John Doe Varden and Timothy Dresco,¹ by and through undersigned counsel, respectfully move this Court pursuant to Rule 56 of the Federal Rules of Civil Procedure for an order summarily dismissing the complaint filed against them. Specifically, Defendants would show the following: (1) Plaintiff fails to establish any facts supporting municipal liability; (2) Plaintiff's excessive force claims stemming from the events of December 19, 2012 are barred by the Supreme Court's holding in *Heck v. Humphrey*; (3) Defendants are entitled to qualified immunity for the remaining excessive force claims because the undisputed facts fail to establish Defendants' conduct violated clearly established law; (4) Plaintiff's inadequate medical treatment claims fail because Plaintiff received adequate medical treatment and Defendants were not deliberately indifferent to any serious medical needs; (5) there are no facts to support Plaintiff's claims based upon confinement segregation; and (6) Plaintiff's federal claims are barred because he failed to exhaust the available administrative remedies.

¹ The full names of the John and Jane Does properly before this Court are Donna Lamb, Neal Schaffer, Angie Smith and Christopher Varden.